

NOTICE TO BIDDERS

OWNER The Oak Creek Water & Sewer Utility hereby gives notice that sealed proposals will be received in the Utility’s office at 170 W. Drexel Avenue, Oak Creek, Wisconsin, 53154.

PROJECT The work, officially known as Project No. 08101, PUETZ ROAD BOOSTER STATION, PART A BOOSTER STATION CONSTRUCTION AND PART B TRANSMISSION MAIN CONSTRUCTION, consists of constructing the following approximate quantities:

ITEM DESCRIPTION	QUANTITY
20-inch diameter ductile iron water main, thickness Class 50, including all required tees, connections to existing mains and all required restoration	510 LF
24-inch diameter ductile iron water main, thickness Class 50, including all required connections to existing mains and all required restoration	270 LF
20-inch diameter butterfly valve and valve box and all required restoration	2 Each
24-inch diameter butterfly valve and valve box, and all required restoration	3 Each
4-inch diameter, Schedule 40 sanitary sewer lateral, including all fittings, cleanouts, and connections	120 LF
16-inch valve	1 Each
6-inch valve	1 Each
Hydrant	1 Each
Hydrant lead	1 Each
Booster Station	1 LS
Provide an add/deduct for the following: All iron, steel and manufactured goods incorporated in the project shall be produced as per requirements in specification section American Recovery and Reinvestment Act (ARRA) “Federal Stimulus Package” special requirements.	Add/Deduct Lump Sum
Provide an add/deduct for complying with Davis Bacon wage rates.	Add/Deduct Lump Sum

TIME Proposals must be received by the office of the Utility, 170 W. Drexel Avenue, no later than 10:00 a.m., Friday September 25, 2009, at which time and place the proposals will be publicly opened and read aloud.

CONTRACT DOCUMENTS Plans, specifications, and bidding documents may be obtained at the Utility office 170 W. Drexel Avenue, Oak Creek, WI 53154. A non-refundable fee of \$75.00 will be required for each set of Bidding Documents payable to the Oak Creek Water and Sewer Utility. Mail requests for Bidding Documents shall require an additional amount of \$10.00 to cover the costs of postage and handling. Monies for the bidding documents and postage and handling are not refundable. These documents are also available for download free at the Utility's web site: www.water.oak-creek.wi.us under the public contracts section.

STATUTORY PROVISIONS The Contract letting shall be subject to the provisions of Section 62.15, 66.0901, 66.0903, and 779.16 Wisconsin Statutes. The minimum wage scale to be paid on this project shall be in accordance with the prevailing minimum wage as determined by federal or state law, whichever applies, and such wage is incorporated by reference, as it may be amended from time to time. If the United States Department of Housing and Urban Development or State of Wisconsin, Department of Workforce Development has issued a wage rate determination, then it shall apply.

Note: This project may be funded under the American Recovery and Reinvestment Act (ARRA) "Federal Stimulus Package" and the Wisconsin Safe Drinking Water program.

Any contract or contracts awarded under this invitation for bids must demonstrate positive efforts to utilize Small Business Enterprises (SBE), Women Business Enterprises (WBE), and Minority Business Enterprises (MBE). All bidders must submit completed SBE, WBE, and MBE forms with their bids. Failure to complete these forms may result in rejection of a bid. This procurement will be subject to regulations contained in the Federal and Wisconsin Administrative Code. Failure to comply could result in the termination of funding.

This procurement is subject to the Grantee's policy regarding the increased use of small, minority, and women's businesses. The Grantee's policy requires all bidders to undertake specified affirmative efforts at least fifteen (15) days prior to bid opening. The policy as well as the cited regulations are contained in the specifications.

Minimum salaries and fringes to be paid on the project shall be in accordance with the prevailing wage rate scale established by the Federal Department of Labor (DOL). Attention is called to the facet that not less than the minimum salaries and fringes set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applications for employment are not discriminated against because of their race, color, religion, sex, national origin, or other protected class. Federal Labor standards program laws, including, but not limited to the Davis Bacon Act, the Copeland Anti Kickback Act, and the Contract Work Hours and Safety Standards Act will apply to all projects.

The bidder's attention is directed to the Federal forms contained in the contract documents which describe, in detail, the Federal requirements regarding Labor Standards, Equal Employment Opportunity, need for Affirmative Action, etc.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the contract, Section 3, Segregated Facility, Section 109 and E.O. 11246.

Section 109 of the Housing and Community Development Act of 1974. No person shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

Section 3 of the Housing and Urban Development Act of 1968, as amended, which provides that to the greatest extent feasible, opportunities for training and employment shall be given to lower-income residents of the project area, and that contracts, in connection with the project, be awarded to business concerns located in, or owned in substantial part, by residents of the project area.

Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which provides that no person shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance.

Federal Water Pollution Contract Act Amendments of 1972,

Section 13, which provides that no person shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance under this Act.

Title IX of the Education Amendments of 1972, which provides that no person shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.

Age Discrimination of 1975 (P.L. 94-135), which prohibits, with certain exceptions, discrimination on the basis of age in programs or activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973 (including Executive Orders 11914 and 11250), which provides that no otherwise qualified handicapped individual shall solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Equal Employment Opportunity Requirements, Executive Order 11246, which requires that a contractor under a federal or federally assisted construction project not discriminate in employment on the basis of race, color, religion, sex, or national origin. The Order requires contractors to take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Further, it requires the contractor to post all mandatory equal opportunity notices and complete all required Department of Labor and Equal Opportunity Commission reporting forms.

Uniform Relocation Assistance and Real Property Acquisitions Act of 1989 (49 CFR Part 24), which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs.

Debarment and Suspension Requirements, Executive Order, 40 CFR Part 32, which requires recipients, contractors, and subcontractors, to provide certifications that they will not knowingly enter into contracts with individuals or businesses which have been debarred or suspended from federal assistance programs.

Women's and Minority Business Enterprise, Executive Orders

11625 and 12138 and 40 CFR 35.3145(d) and (e), which establishes requirements and procedures for the utilization and reporting of minority and women owned (MBE/WBE) business participation in for federally funded projects.

Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act and Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans, which prohibits the recipient from entering into contracts or otherwise extending federal assistance to persons or facilities listed in the Environmental Protection Agency's list of Violating Facilities.

As part of the procedure for determining the ability of contractors to comply with the equal opportunity clause, "prospective bidders" may be requested to attend a meeting prior to the opening of bids where they will be instructed in the equal employment opportunity requirements of the federal and state agencies.

A pre-bid meeting will not be held.

**BID
GUARANTEE**

A certified check or bank draft payable to the Oak Creek Water & Sewer Utility, or a satisfactory bid bond, in an amount not less than 5% of the bid shall accompany each bid as a guarantee that if the bid is accepted, the bidder will execute and file the proposed contract and bond within 10 days after the award of the contract. In case the bidder fails to file such contract and bond within the time set by the Utility, the check or bid bond shall be forfeited to the Utility as liquidated damages pursuant to SS.62.15(3).

**EQUAL
OPPORTUNITY**

The Oak Creek Water & Sewer Utility hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the ground of race, color, sex, or national origin in consideration for an award.

BID REJECTION

The Oak Creek Water & Sewer Utility Commission reserves the right to reject any and all bids, waive any informalities in bidding, or to accept the bid or bids, which best serves the interest of the Utility.

**BID
WITHDRAWAL**

No bid shall be withdrawn for a period of 30 days after the scheduled opening of the bids without the consent of the Oak Creek Water & Sewer Utility Commission.

BIDDING
DOCUMENTS
AVAILABILITY

Plans, specifications, and bidding documents shall be available on
September 3, 2009.